

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ANTHONY VAN LONG,)
)
 Plaintiff,)
)
 v.) 1:22-cv-433
)
 GUILFORD COUNTY DETENTION)
 OF GREENSBORO,)
)
 Defendant(s).)

ORDER

This matter is before this court for review of the Order and Recommendation ("Recommendation") filed on June 15, 2022, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 3.) In the Recommendation, the Magistrate Judge recommends that this action be dismissed without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects of the current Complaint. (*Id.*) The Recommendation was served on the Petitioner on June 15, 2022. (Doc. 4.) Plaintiff filed Objections to the Recommendation. (Docs. 5.)

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject,

or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the Recommendation as well as Plaintiff's Objections and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 3), is **ADOPTED**. **IT IS FURTHER ORDERED** that this action be filed, and is hereby, **DISMISSED** sua sponte without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects the Recommendation identified.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 29th day of March, 2023.



United States District Judge